

allegedly defective latching system designed, manufactured, marketed and sold by Defendant INDIANA MILLS & MANUFACTURING, INC.

4. This matter is currently set for a trial docket call on November 15, 2021.

**II.
THE PARTIES NEED TO EXTEND DEADLINE FOR PARTIES TO DESIGNATE
EXPERTS**

5. The current deadline for Plaintiff, or the party with the burden of proof, to designate expert witnesses and expert opinions as required under Federal Rule of Civil Procedure 26(a)(2) is March 31, 2021.

6. The current deadline for Defendants, or the party without the burden of proof, to designate expert witnesses and expert opinions as required under Federal Rule of Civil Procedure 26(a)(2) is April 30, 2021.

7. The parties had been working diligently to complete fact discovery in a manner that allows the parties to be ready for trial by the trial docket call on September 27, 2021. Based upon the progress of discovery to-date, the parties anticipate that they will be able to do so. Nonetheless, the parties are in need of a modest extension of certain of the discovery deadlines to enable them to complete expert discovery.

8. After a brief delay caused a witness's unfortunate diagnosis with COVID-19, the parties completed the deposition of Graco's 30(b)(6) witness on February 26, 2021. The parties are still awaiting receipt of the transcript of that deposition, which needs to be reviewed by the parties' expert witnesses prior to their disclosures. Additionally, the parties and certain of their experts completed an exhaustive inspection of the subject vehicle and child restraint on March 17, 2021. At that inspection, a key piece of relevant evidence – a previously missing buckle that appears to have come from the subject child restraint – was found buried amongst the debris inside the subject

vehicle. The parties' experts need time to analyze this additional piece of relevant evidence in the preparation of their opinions.

10. Given the current schedule and the delay in the parties' ability to conduct the deposition of Graco's corporate designee, Plaintiffs' experts are unable to complete their review of all necessary information in advance of their disclosures being due. Accordingly, a modest of the discovery deadline and expert disclosure deadlines is necessary. The parties do not currently anticipate that the requested extension of those discovered deadlines will affect the trial date.

11. Accordingly, as set forth herein, in light of the additional time that the parties agree is necessary to complete required discovery, the parties respectfully request the Court extend certain of the current deadlines to allow for the completion of that discovery. In connection therewith, the parties respectfully suggest the following proposed amended discovery schedule:

- a. Plaintiffs' expert disclosures due by May 31, 2021
- b. Defendants' expert disclosures due by June 30, 2021
- c. Discovery close on August 1, 2021
- d. Dispositive and non-dispositive motions due by August 15, 2021

12. This motion is not filed for delay but is being filed in the interests of justice so that discovery can be completed.

WHEREFORE PREMISES CONSIDERED, Plaintiff and Defendants respectfully requests that this Court grant their Agreed Motion to Extend Discovery Deadlines and that certain of the discovery deadlines in the operative Scheduling Order be amended to allow Plaintiff to timely designate experts by May 31, 2021, allow Defendants to timely designate experts by June 30, 2021, allow parties until August 1, 2021 to complete

discovery, and allow the parties to file dispositive motions by August 15, 2021, in addition to all other relief to which Plaintiff and Defendants may be justly entitled.

Dated March 22, 2020

Respectfully Submitted,

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